

USSN 10/068,686
Amendment in Response to July 25, 2005 Final Office Action

REMARKS

In the July 25, 2005 final office action, claims 2, 5-6, 8, 12 and 14-31 were all rejected under 35 USC 103(a) as being unpatentable for being obvious over USP 3,896,589 to Mitchell in view of USP 5,253,051 to McManigal.

Claims 2, 8, 12 and 19-31, as amended, are being submitted for the Examiner's consideration.

Amendments to the Claims

With the current amendment, Claims 5, 6 and 14-18 have been canceled. Claim 21 has been amended to include the limitations formerly in Claims 5 and 6 (effectively writing Claim 6 in independent form), and Claim 8 has been amended to depend on Claim 21, since Claim 6 has been canceled.

Therefore, no new issues have been raised by the present amendment, and so entry of the above amendment is believed to be proper.

REJECTION UNDER 35 U.S.C. §103(a)

In the Final Office Action, Claims 2, 5-6, 8, 12 and 14-31 were all rejected under 35 U.S.C. § 103(a) as being unpatentable over USP 3,896,589 ("Mitchell") in view of USP 5,253,051 ("McManigal"). This rejection is traversed to the extent it applies to the two pending independent claims, and any claims depending thereon.

Independent claim 19

Independent claim 19, which has not been amended in the present submission, recites, inter alia:

"the second window being movable within the window frame and being receivable into the wall adjacent the window frame;

USSN 10/068,686

Amendment in Response to July 25, 2005 Final Office Action

wherein the second window includes a display capable of displaying an image from a display source."

The language of Claim 19 clearly requires that the "second window" (which includes the display) be receivable into the wall adjacent the window frame. It is submitted that no combination of Mitchell and McManigal discloses this.

Mitchell is directed to a thermally improved window frame 10 having specifically formed jamb or stile members 15, 16. The window frame 10 accommodates horizontally sliding window sashes 12a, 12b. "As best illustrated in Fig. 2, the jamb members 15, 16 each comprise a side wall portion 17 which is sinuous in cross-section as defined by alternate, substantially rectangular projections 18a, 18b, directed outwardly of each side of and co-extensive with the length of the jamb members." (Col. 3, lines 16-21). As seen in Mitchell's Fig. 2, this side wall portion 17 is found on both the left and right sides of the frame 10. Importantly, the entire point of Mitchell is to provide the metal side wall portion 17 with a continuous sinuous path to help reduce heat flow between the inside and outside of the frame 10. Due to this continuous path established by the metal side wall portion 17, neither sash 12a, 12b can travel outside the frame 10, and thus cannot be "receivable into the wall adjacent the window frame", as called for in pending claim 19.

McManigal teaches the antithesis of a window. McManigal discloses an electronic display which is (1) mounted on an interior wall of a room, (2) framed to have the *appearance* of a window frame, (3) configured to receive signals comprising scenery; and (4) provided with a detector to locate a viewer in the room and change the scenery perspective accordingly. McManigal teaches nothing about mounting anything *in* an opening of a structure, let alone a window; McManigal only teaches hanging an artificial window *on* an interior wall or in the middle of a room.

Since neither Mitchell nor McManigal disclose any kind of window that is receivable into the wall adjacent the window frame, no combination of these two references can render Claim 19 obvious. Accordingly, Claim 19, and all claims depending thereon are believed to define over Mitchell in view of McManigal.

USSN 10/068,686
Amendment in Response to July 25, 2005 Final Office Action

Independent Claim 21

Independent Claim 21 has been amended to include the limitations of claims 5 and 6 and now includes the following combination of features:

- (a) a window frame disposed in the wall of a structure;
- (b) a multi-task window housed in the window frame, the multi-task window housing a display module for receiving a display signal; and
- (c) at least a portion of the multi-task window extending beyond the frame perimeter.

Thus, Claim 21 requires that the window having the display module extend beyond the perimeter of the frame disposed in a wall. It is submitted that no combination of Mitchell and McManigal discloses this. As discussed above, McManigal is not a window and certainly does not disclose a display that extends beyond a "frame perimeter", as recited in Claim 21. As also discussed above, Mitchell's horizontally sliding window sashes 12a, 12b are limited by the sidewall portion 17 and so cannot travel beyond the frame perimeter. Since neither reference allows for a window member to travel beyond the frame perimeter, it is submitted that pending Claim 21 is patentable over any combination of these two references.

With specific regard to dependent Claims 26 & 27, it is noted that nothing in Mitchell or McManigal discloses a portion of a window having a display being receivable into the wall adjacent the frame (much as discussed above with respect to Claim 19).

With respect to all claims not specifically mentioned, it is submitted that these are patentable not only by virtue of their dependency on their respective based claims and any intervening claims, but also for the totality of features recited therein.

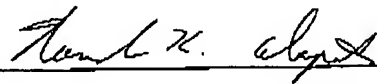
Reconsideration of the application is requested. For the reasons stated above, it is respectfully requested that the rejection of record be withdrawn with respect to the pending claims 2, 8, 12 and 19-31, and the application be allowed to proceed to issue.

USSN 10/068,686

Amendment in Response to July 25, 2005 Final Office Action

The Commissioner is hereby authorized to charge any additional fees that may be required for the timely consideration of this Amendment under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 09-0528.

Respectfully Submitted,

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